

SPEECHES
OF
PATRICK W. TOMPKINS, OF MISSISSIPPI,
ON
THE PRESIDENT'S MESSAGES.

DELIVERED IN THE HOUSE OF REPRESENTATIVES, JANUARY 19 AND MARCH 14, 1848.

The House being in Committee of the Whole on the Message of the President of the United States, Mr. TOMPKINS said—

Mr. CHAIRMAN: I do not propose to answer the argument of the gentleman from Maryland, (Mr. McLANE,) who last addressed the committee, though it would afford me pleasure to do so. His speech was able, ingenious, delivered in an interesting manner. There was in it much of what may be called mesmeric influence, for he seemed to chain to his lips the audience which surrounded him. I trust some gentleman will reply to him, who can, with more effect than I, combat his points; for myself, I design speaking on another subject. Nor will I now undertake to reply to the gentleman from New Hampshire, (Mr. TUCK,) whose positions in the abstract, and they were but abstractions, were antagonistic to the interests of that portion of the country which I, in part, have the honor to represent, but on some fit occasion, whenever those abstractions assume a practical shape, I shall endeavor to oppose the constitutional heresy on which they rest, and to contrast it with the constitutional guaranty on which rests those Southern rights, for which he seems to have so little respect; whilst I desire to vindicate the rights of the South, still, I trust, I shall never be capable of any action on this floor which shall not, in some degree, tend to promote the interests of the whole country.

We are in Committee of the Whole on the state of the Union, having especially under consideration the annual message of the President, but we are discussing the question of the war and the objects to be accomplished by it, and as the gentleman from Indiana, (Mr. ROBINSON,) on yesterday employed nearly all his hour in the discussion of the special message, and in complimenting the President for his lofty independence in refusing to give to this House, the Representatives of the true sovereigns, the People, information of vital importance to them, it is to that point, therefore, I shall direct my remarks; on that question I had the floor, and supposed it would come up yesterday morning. I was not alone in so supposing, the reporters, it seems, were of the same opinion, it was so published in the papers; however, it was not then taken up, but a fair opportunity now offering, I shall present my views, in relation to that document sent last week by the President to this House, in which he refused to communicate to the Representatives of the People any of the facts or particulars of the arrangement by which he restored to Mexico, at a time when we were at war with her, the ablest General she could ever boast, a General, who, on his return, found his country distracted, its armies disbanded, its revenues exhausted and deranged, and yet, who out of such chaos, such anarchy, organized new armies, brought forth resources that enabled him to drench the plains of Mexico with the richest blood of American soldiery. And when we ask how all this occurred, what excuse the President had for arming our enemy against us, we are told it is beyond the sphere of our duties and power; that to ask, was an impudent infringement of the Executive prerogative. It seems to me that on this point in the matter of this inquiry, we should know no party, but our country only; but if there is to be party division, then it must be the friends of the Constitution and the People on the one hand, and of the Executive and his prerogative and usurpations on the other.

The House had asked, not only in relation to the instructions given Mr. Slidell as Minister to Mexico, but for the order given to the commander of our blockading squadron on the coast of that country in regard to the return of Santa Anna, who was then at Cuba, in exile, so that we might know with what influences the People of this country, their resources and their blood, had been contending, and had still to contend. The President says, no, this thing belongs to me in my Executive capacity, is the strength and splendor of my Executive prerogative. It seemed to be the opinion of the Chief Magistrate that, if he could quote as a precedent for this usurpation a name revered, that dwells in the core of every true American heart, he would be protected against the indignation and odium which Democratic America had always ready for the usurper. To sustain him, he quotes the message of Washington in connexion with Jay's treaty, a flagrant misapplication of authority, as I shall show before I conclude.

The discussion on the special message was suddenly and unexpectedly sprung on gentlemen on this side of the House. The message itself was a sealed package on the Speaker's table, no one on this side knew what it contained, nor could they even know what message it was, for it came in at a time when many were expected. Until it was read by the Clerk, the friends of the Constitution and the People knew nothing of its contents. Not so, however, with the friends of the President, the advocates of his prerogative and usurpation. They knew what was coming; they were prepared for the advocacy of its doctrines; they had authorities previously prepared, to sustain the President, as they no doubt thought, books with the leaves turned down all ready "dog-eared" for the occasion. I do not charge, that they were

furnished by the President, but one of two things is certain, his friends were informed of the character of this message that they might prepare for its defence, or else, that defence was prepared and sent to them; for instantly on the reading of the message, they came forward, with flippant, ready argument, and rare and seldom read documents, to defend a messase not then assailed.

Mr. HOUSTON, of Alabama, here interferred.

Mr. TOMPKINS said: I do not yield the floor, it is not my intention to impute to that gentleman anything improper in his ready defence of the President, but I cannot lose any portion of the short time allowed me. I hope the gentleman will not consider me discourteous in not yielding the floor under the circumstances. He (Mr. H.) had made a very respectable argument, with the authorities beautifully arranged and furnished, and we on this side had not even faint warning of what was coming.

Mr. HOUSTON again interrupted and was proceeding to speak.

Mr. TOMPKINS continued. The gentleman must excuse me for not yielding. I have said, and repeat it, I mean no disrespect to him; but the authorities were right nicely fixed.

Mr. HOUSTON again insisted on the floor to explain.

Mr. TOMPKINS said: I see no need of explanation, and cannot yield. I see much of the time of some gentlemen consumed by these interruptions to explain. No discount or allowance is made for the time wasted in this way.

THE CHAIRMAN. On this subject the range of debate is necessarily extensive, yet it is the duty of the Chair to arrest remarks of a personal character; though I do not consider those of the gentleman from Mississippi to be such.

Mr. TOMPKINS. I disavow any such intent. I accord to the gentleman, (Mr. Houston,) considerable ability in the advocacy of a principle which I deem a very dangerous one in a Republic, and which, I was sorry, very sorry, to behold in one professing Democracy.

But to the precedents. The President stated but one, and yet the gentleman, in the preparation made for him, or which he had made himself, from being previously informed of the contents of the message, had many authorities ready marked for use. He could not have made the preparation after the message was read, for, in less than half an hour he was dealing out from the books what he called the precedents. I do not say he was, in this matter, the retained counsl of the Executive, still the circumstances invite us to the conclusion that the authorities were furnished him from some source.

Mr. HOUSTON again interrupted.

Mr. TOMPKINS. I do not wish to be interrupted.

Mr. HOUSTON, still persisting, said he was aware the gentleman did not wish to be interrupted in such a course of remarks as he was indulging in. (Cries of order.)

THE CHAIRMAN said he understood the gentleman from Alabama rose to a question of order.

Mr. HOUSTON, continuing. I wish to say, with reference to the declaration of the gentleman from Mississippi, that I was a retained counsl—

Mr. TOMPKINS. Only by implication.

Mr. HOUSTON. That I represent the people of my district in what I say and do here, and am not the retained counsl of the President of the United States, or anybody else. The gentleman says it must have been prepared for me. It is true I knew what subject the message was on.

Mr. TOMPKINS. It was a sealed package. The gentleman now acknowledges that he knew what it contained. No one on this side of the House knew. He admits all I charge; that he was informed in time to make his preparations. (Cries of Order!)

THE CHAIRMAN said he would repeat, that when a gentleman was on the floor, and made observations of a personal character, he felt it his duty at once to call him to order. If he made misstatements, intentionally or otherwise, (and it could not be supposed any gentleman would make them intentionally,) it was merely a mistake in the argument.

Mr. TOMPKINS. No, not a mistake. But, sir, let us turn our attention to the precedents, that quoted in the message, and those of the gentleman, who comes forth as the advocate of the Executive prerogative—I will not say retained counsl, either express or implied—and see whether they fit the case before us. The message of President Washington, which was quoted, was in connexion with the treaty-making power, and that alone, a power conferred by the Constitution on the President and Senate. Treaty negotiations, by the practice of European Governments, had had, for centuries, the feature of secrecy peculiarly stamped upon them. It was not strange that, in the early Admininstration of our Government, that practice of concealment in diplomacy should be adopted. It was, at that period, a recognised principle of the science, because before that time there were no free governments. The existing Governments elsewhere were Governments of fraud or Governments of force; they were therefore, interested in concealing from the governed their transactions with other nations. Secrecy became to them, if not an element of success, at least of repose. This system of concealment was a practice established by monarchs and despots. We have lived long enough to know that, in a Republican Government like ours, where we have not those who were born to rule, but where the People are the true sovereigns, and like all sovereigns, have a right to know—aye, it is their duty to know—everything that is going on affecting the public interests, that we want no public servants to keep public secrets, to conceal from the People transactions vitally affecting the public weal. Whatever is concealed is generally dangerous to public liberty. We can afford to be frank and honest in our negotiations, and we are probably the only sovereigns in the world who can. It is because the sovereignty is vested in the great body of the American People. In our negotiations, if we ask for nothing but what is right, where is the necessity of concealing it? If we submit to nothing which is wrong, why conceal it? If the Government is degraded by demanding what is not right, or submitting to what is wrong, ought not the People, who are the true sovereigns, to be informed of it in due time that they might make the correction?

When we consult the precedents from the organization of the Government, in which the right to maintain secrecy is claimed, we find they relate, generally, to pending negotiations, and not to those consummated. What is the sovereignty in the hands of the People—the sovereignty reposing in the twenty millions of heads and hearts in the United States—worth, if the servants of that sovereignty can conceal from them the most important transactions of the Government? Such is not the sovereignty of the people of the United States. Intelligence, honesty, freedom, are the great characteristics of the sovereign people of America. The mere public servant, whether President, or lower in the scale, has no right to close the book of his public transactions against the People, his masters, and say, this you shall not read. Yet we find on this floor, advocates of this dangerous doctrine—the doctrine of concealment! It is the doctrine of despots and tyrants. Still, the precedents resorted to—that quoted in the message—those by the gentleman, all go, and only go, to claim the right to conceal facts as to negotiations pending. Now, let us have one, at least, to establish the right of the President to plunge the country into war, to waste their treasure, to exhaust the fountains of their blood, and still to say “you shall not be informed of the object I wish to accomplish.” There are no such precedents, no such authority in the Constitution. And yet the gentleman from Alabama seems to think he has found, in “dog-eared” books, precedents to sustain the Executive prerogative in a usurpation so startling. Prerogative! One of the highest, most heartless and exacting attributes of monarchy!

I will now refer to certain facts which have some bearing on the subject under consideration—not that I have any great respect for the authority I am about to quote, but because it is in point—and perhaps strong enough for the present case. I quote *Polk vs. Polk*. I set up the actions and opinions of Representative Polk, in 1826, against the despotic pretensions and usurpations of President Polk, in 1848. If no lessons of wisdom can be drawn from the contrast, it will serve to show, at least, the inconsistency of his actions, the insincerity of his opinions, then or now. I invite the attention of gentlemen to the proceedings of the House on the Panama mission, when Mr. Polk, then a Representative from the State of Tennessee, was on this floor. The debate on that proposition excited great interest, assumed a range, a brilliancy and power unsurpassed in the transactions of the House. In that brilliancy and power—no, not in these, but in the range of that debate—Mr. Representative Polk participated; and I shall quote him in proper time only to prove his consistency. When the President (Mr. ADAMS) submitted to Congress the proposition for that mission, a resolution was offered in the House by Mr. Hamilton, of South Carolina, which is to be found in House Journal, 1st Session, 19th Congress, page 63, and reads in these words :

Resolved, That the President of the United States be requested to transmit to this House copies of all documents or parts of correspondence [not incompatible with the public interest to be communicated] relating to an invitation which has been extended to the Government of this country ‘by the republics of Colombia, of Mexico, and Central America, to join in the deliberations of a Congress to be held at the Isthmus of Panama,’ and which induced him to signify ‘that ministers on the part of United States would be commissioned to join in those deliberations.’”

This resolution was introduced on the 16th of December, 1825. When first submitted, it contained these words in brackets, “not incompatible with the public interest to be communicated.” This clothed the then President with a discretion as to what should be communicated. Subsequently, on the 31st day of January, 1826, Mr. Hamilton, still having the power over his resolution, no vote having been taken upon it, modified it by striking out these words, “not incompatible with the public interest to be communicated.” Whereupon Mr. Webster moved to amend by restoring the words so stricken out; and on the question, “shall the resolution be so amended,” it passed in the affirmative. This extract will be found at page 219 of the same journal. The resolution then lay over to the 3d day of February. The proceedings upon it then may be found at page 217 of the same journal, thus recorded:

“The House resumed the consideration of the resolution submitted by Mr. Hamilton on the 16th December ultimo, calling on the President of the United States for copies of the documents and correspondence relating to the invitation given to the United States to send ministers to the Congress of Panama; and the question recurred on the motion made yesterday, by Mr. Ingham, to refer the resolution to a select committee, with instructions to strike out these words: ‘so far as in his opinion the public interest may allow.’”

The vote was by yeas and nays; among the yeas are found the names of Mr. Polk, and all the opponents of Mr. ADAMS’ Administration. It has been remarked by some, within the last few days, that that venerable gentleman, nurtured as he was amid the scenes of the Revolution, breathing its richest spirit of freedom, who has been a pillar of the Constitution, and a culminating star in our political firmament, had involved himself in inconsistency, by assailing the message of Mr. Polk, when he had refused to communicate to Congress, while discharging the Executive functions, important and necessary information. Be this as it may, it is not decisive of the present question. But, (holding up the journal from which he had read,) let gentlemen, the advocates of the President and his prerogative, range through this and the Senate’s journal, and they will find that Mr. ADAMS, like a true republican servant of the People, always communicated, when called on, everything proper to communicate, everything that was necessary for the Representatives of the People, the Senators, or the People themselves, to know of public affairs. Among the yeas last referred to, what names do you suppose stand conspicuous? That of Hamilton, the mover of the resolution, and that of Polk, the present Executive. But now, he being President, instead of Representative, not so near the people, and being asked, respectfully, for information touching the war power, not the treaty power—information vitally interesting to the People, because it affects, not only their treasure, but their blood—he poises himself on his official importance, and with uplifted hands and looks of horror, cries, your call is unconstitutional, because it is unconditional, and contravenes my prerogative. He says, at those different periods, the People are entitled to such information, and they are not. That is, he did and he did not. Just like Ritchie of the Union, when he pro-

posed to rob the Mexican churches to pay our expenses in the war—a proposition which fell with a dead stillness on the American ear; but presently awoke a general hiss throughout the land, which Mr. Polk perceiving, folded about him the mantle of his prerogative, and shook his royal head at Ritchie, when the truckling instrument, with trembling hands extended towards heaven, swore by the living God he had never said any such thing. Like master, like man.

Ingham's motion to amend was to make the call on Mr. ADAMS absolute, unconditional. Mr. Polk voted aye, to make it such, to rob the then Executive of all discretion in relation to it; to make it a call that should admit of no equivocation or evasion on the part of the President. I wonder he did not cite that precedent in the message, and "dog-eat" it, too, for his advocates here. We find Mr. Polk voting in the matter of the Panama mission with all the Democrats of that day, with the opponents of Mr. ADAMS' Administration, those who declared at its commencement, "it should be put down, even though it were pure as the angels in Heaven."

The motion of Mr. Ingham was lost; the House refused to make the demand absolute. When the resolution came up on its final passage, 125 voted for it and 40 against it. Among the 40 noes is the name of Mr. Polk. He could not poke in the unconditional feature of the call, so he seemed inclined to poke out the resolution. And why, on the final passage, did he vote in the negative? It could, as we shall presently see, only have been because he could not make the demand unconditional, absolute, arbitrary. The mover, Mr. Hamilton, also voted no, and, of course, for the same reason. These passages in the journals I have marked, for the benefit of those who think the highest efforts of patriotism is the advocacy of Executive encroachments on the constitutional rights of the other branches of the Government. They can examine them at their leisure. These the President will certainly not "dog-eat" for them.

The next time the question came up in the House, it was on a proposition to appropriate money to defray the expenses of the mission, the Senate having advised and consented to the appointment of ministers. When this was under consideration, the same Mr. Representative Polk, on the 11th of April, 1826, introduced a series of resolutions, page 426 of the same journal. The following is the first:

"Resolved, That it is the constitutional right and duty of the House of Representatives, when called on to defray the expenses of foreign missions, to deliberate on the expediency or inexpediency of such missions, and to determine and act thereon as in their judgment may be most conducive to the public good."

This resolution expresses the opinions of Mr. Representative Polk—opinions that good Democrats ought to concur in. But now, Mr. President Polk declares that the Representatives of the People have no right to demand of him information, even in connexion with the exercise of the war power of the Government, one widely different from the treaty power, and vested by the Constitution in the People, through their Representatives. I will not rest with what Mr. Polk states in his resolution. He was not a silent actor upon these views of his. He was not willing that the journals alone should speak his sentiments, but seemed determined that the true sovereigns should know, not only what James K. Polk, the representative and ardent advocate of popular rights did, but, also, what he was able to say upon the question. I will now read an extract from his speech in the House on his resolutions, delivered the same 11th day of April. It is as follows:

"Some gentlemen seemed to entertain the opinion that, so soon as the other Departments of the Government had determined to depute a foreign mission, the House of Representatives had no right to question its propriety; but were bound, as a matter of course, when called upon for an appropriation merely, to grant the necessary supplies to carry it into effect; that they had no right to deliberate, consider, and exercise a sound judgment on the subject; but were mere passive agents, to record the decrees of the President and Senate. For himself, he was of a different opinion." [I am of a different opinion now, (said Mr. T.) and he has changed.] "He believed when the Representatives of the People were called upon to appropriate the people's money for any purpose, they should not do it hoodwinked, or upon the faith of others, but should exercise a sound discretion and do it understandingly."

The expenses of the mission to Panama were some \$45,000 to \$50,000; and yet we hear from Mr. Representative Polk such high sounding terms about the People's rights and the People's money. But now when Mr. Executive Polk calls upon us, the People's Representatives, to vote away, aye, in his own words, "hoodwinked," hundreds of millions of the People's money, and tens of thousands of the lives of the proudest of our chivalry, and we ask in the name of the People, to be informed of the object to be accomplished, he mocks us with the imputation—you rascally Mexican Whigs! Ye afforders of aid and comfort to the enemy! Ye traitors! Vote speedily all I demand of money and of blood. It will have a fine *moral* effect. You are bound to do it, and shall do it, "hoodwinked," for I am the Lord's anointed; it is my prerogative. If you have any doubts about the extent of my prerogative, I refer you to my friend from Alabama, with the "dog eared" books. (Much laughter.)

In the extract we have just read, we find Mr. Representative Polk declaring in his place, on this floor, that it was not only the right, but the duty of the Representatives of the People, when called upon to vote appropriations of the People's money for any purpose, to exercise a sound discretion, and *not* to do it on the faith of others. That is all the House asked in the present case—that his principles then, shall prevail now—that we shall understand in what manner, and for what purpose, the war power of the Government is being exercised—and that we shall not be required to vote away "hoodwinked," nor "upon the faith of others," the purses and the lives of the people. These were the sentiments of Mr. Polk when a Representative—when courting the People—when appealing to the sovereign will for promotion and power; but now when he has attained that giddy height, of which, at that day, his young ambition dared not dream, he has changed his tone. He was a Gloster then, coveting the English crown, to gain which he found it necessary to court the populace of London—waited upon by the Mayor

and officers of the corporation—surrounded by the multitude, with seeming devotion to popular rights, like that exhibited by Mr. Polk in the extract read, he accosted them in subdued and humble tones—

“I do suspect I have done some offence
That seems disgracious in the city's eye,
And that you come to reprehend.”

But when he had made his way to the throne—when the blood of murdered princes and nobles bubbled beneath the wheels of his royal car, and Richmond had rallied a few of the free spirits and hardy barons of the realm, to rescue the sceptre from the hands of the tyrant usurper ; of the foe and his forces, he stormed from the insolent height of his prerogative—

“Why, our battalia trebles that account ;
Besides, the King's name is a tower of strength,
Which they upon the adverse faction want.”

So President Polk seems to think that his name, fortified by the Executive prerogative, is a tower of strength, to which the People and their Representatives must yield ; that we are merely of the adverse faction. But we must teach him, (and if he prove tractable, may do it by reading his own speeches,) this lesson, that the People are king. For fear the extract cited might not satisfy the President's friends, I refer them to his first speech, 2d vol. Reg. Deb. It would occupy too much time to read it here. It is elaborate ; one of the ablest speeches he ever made. Now since he has bidden adieu to those frank, republican principles, which seemed to actuate him then—since a sense of the rights of the People had ceased to inspire him—since, in his breast, the insolence of prerogative had quenched the fire of freedom, he could not be expected to speak so again, I therefore recommend that effort to his friends as an interesting relic.

There is a marked distinction between the treaty power and the war power of the Government. The treaty power is conferred by the Constitution on the President and Senate. The war power is reserved to the People, to be exercised through their Representatives in Congress, for the best of all possible reasons—because, in the event of a war, they have to pay, to toil, and to bleed. But does the treaty power, with the President and Senate, necessarily carry with it blind obedience on the part of the People and their Representatives ? Must they be silent if the treaty power attempt by treaty to overturn their liberty, or should they vote, “hoodwinked” if you please, appropriations to execute a treaty, to the destruction of their best interests ? Suppose the President and Senate, for instance, should, by treaty, surrender New York, with her ports, her customs, her fortifications, and all her incidents of commerce to the English crown, as the Spaniards had surrendered Gibraltar, and should stipulate to pay an hundred millions of dollars to enable the English to maintain themselves in it, think you that this House ought to vote the \$100,000,000 of appropriations to carry such a treaty into effect ? Or that, if they had reason to believe such was the character of the treaty, they ought to vote the appropriation without inquiry and information ? I admit this is an extreme case, but is yet one which shows the principle in a clear light. My own opinion is, that the Representatives of the People would be derelict to the highest obligations of freedom, to vote appropriations to carry a treaty into effect, without knowing how that treaty was to operate on the public interests or the institutions of liberty. Mr. Representative Polk thought so in 1826. Now, in 1848, as President, he thinks, blind obedience to his demands on the part of the Representatives on this floor, the highest evidence of Democratic freedom. With him, democracy is a slavish submission to Executive tyranny. If such was his opinion on the Panama mission—a matter exclusively within the the treaty principle—with what astonishment must all candid men have heard his high pretensions in the message we are now considering ? This is in answer to enquiries we have made as to the exercise of the war power—a power, as I have already said, with which the President is not clothed. We have asked him, what was to be accomplished by the war, and how it is to be accomplished, and especially, why Santa Anna and his suite were sent into Mexico to lead her armies to the slaughter of our brave troops ? Inquiries relating, exclusively, to the exercise of the war power—that power which belongs to the People. He scorns the inquiry with all the arrogance of the tyrant. Sanctioning this insolence of the President, the gentleman from Maryland, (Mr. McLANE,) is for a vigorous prosecution of the war, until it results in an advantageous and honorable peace. I should like to know what that is. Since the Democracy of the present day is understood to be blind obedience to Executive dictation, don't we all know that if the President takes it into his head to withdraw our armies to this side the Nueces, and does it, his friends would swear lustily that he had brought about a glorious termination of the war ! Should we point to the bloody fields of Mexico, Monterey, Buena Vista, Churubusco, and the rest, made glorious by American valor, consecrated by American blood—to the gauntness of the treasury, and the homes made desolate by the wasting effects of this war—they would say, this waste of treasure and flow of blood has been stopped by the peace ; therefore, it is advantageous and honorable ; just as it was, when the President set out for the whole of Oregon up to 54° 40', with the solemn declaration, upon his inaugural oath, that up to that line “our title was clear and unquestionable ;” and when a short time afterward, he made a treaty settling the boundary on the line of 49°, giving away of that territory, to which, on oath, he had said our title was clear and unquestionable, three hundred and fifty miles in breadth, and extending from the Pacific beaches to the snow clad peaks of the Rocky mountains, they all insisted it was the most glorious treaty that had been made since the organization of the Government. And so we would find advocates of the Executive prerogative and usurpations, whatever treaty might be made with Mexico, ready to maintain, even with “dog eared” authorities, that it is the most advantageous and glorious ever made, excepting, perhaps, the Oregon treaty. There is nothing definite, nothing satisfactory in the pretended explanation of the President and his friends, that the war is to be vigorously prosecuted to an advantageous and honorable peace, since we have seen with what facility they could surrender ninety millions of acres in

Oregon, to which our title, as they had solemnly and repeatedly said, was clear and unquestionable, and since we had seen, too, with what apparent earnestness they had proclaimed that transaction to be advantageous and honorable. It is too much like the sayings and predictions of the ancient oracles and soothsayers, so ambiguous that fulfilment might be claimed, however things might eventuate.

The President and his friends make another statement with which they seem to think the sovereign People ought to be content, and that is, that "the war must be pushed into the enemies vitals, till we obtain indemnity for the past and security for the future." They admit that indemnity in money is out of the question, for that Mexico has no money. Territory, then, is evidently the only indemnity they look to. It is due to the People to show how much territory the President demands, and how far it will go to indemnify, and what portion of it is already appropriated to individual claimants; for, of course, so far as thus appropriated, it could, in the way of sales, bring no means into our Treasury. All the indemnity we could derive from the acquisition of territory so appropriated to individuals, would be from the imposition of duties on goods imported from foreign countries into those regions. These would not defray the expense of occupying the country. If the waste of the millions upon millions of dollars we have encountered in this war cannot, as we see, be repaired by territorial acquisition—if the war is to be continued, how are we to be indemnified for the countless millions more that must go in the same way? And how does the President propose to indemnify the country for the fearful waste of American blood, staining as it does every spot where our armies have marched in Mexico? The blood which has flown, and is, perhaps, still to flow? And for those priceless lives, which, without meeting an enemy, have sunk under disease superinduced by the neglect of this Government, to fill inglorious graves, till every valley and hill side of Mexico swell with their mouldering ashes? The demand of indemnity is for treasure expended. Nothing is said of the waste of human life—nothing of human suffering and wretchedness—nothing of all the woe and mourning, tears, groans, and destitution that fill thousands of homes in our land. All these are left out of the account by those zealous gentlemen, who are grasping for more rocks, more sand, more wilderness filled with impenetrable chapperal, and more rivers whose torturous and turbid currents defy the skill of the navigator. The mighty considerations of human life wasted, and human misery entailed, seem to be entirely overlooked in the mad clamor for indemnity for the expenses of the war, and the debt due from Mexico. How is indemnity to be obtained if not from customs? From these, no man believes it can be derived. Then from the public lands? Are we to obtain any not covered by private claims? I offered resolutions several days since, asking what portion of the domain to be acquired had not been appropriated. I desire to see them answered that we may know what prospect of indemnity they afford, or that we may see whether it is not a mere chance adventure, in which the President himself does not know what we are to obtain. In the arrangement the waste of blood cannot be counted, for who dare set a price upon the heads of American freemen? Even the President, in the recklessness and arrogance of his prerogative, dare not? Would the subjugation of all Mexico indemnify? Would not that involve occupancy, and occupancy perpetual war? Look to the Castillian and Aztec races, blended in the present population of Mexico, and if any qualities more striking than others distinguish them, it is a deep-seated feeling of national pride interwoven with implacable stubbornness. How long did the Moorish invader occupy portions of Spain? Pent up in fortified positions for some eight hundred years, he was engaged in one prolonged, unceasing struggle, without conciliating or subduing the neighboring Spaniard, till he was at last expelled, and the Spanish foot alone pressed again the Spanish soil. It was not so much the Spanish sword, as the subtlety of Spanish Jesuits, that subjected the Aztec race to Spanish rule. Induced to believe their moral condition would be improved by admitting the Spaniard into their communities, and embracing his religious faith, they admitted him as an equal whom they had rejected as a conqueror; thus by gradual approaches, and more by moral suasion than force, their political institutions were revolutionized, and power concentrated in Spanish hands. Again, when we look to their struggle for independence, we find the same implacable spirit displayed. When every stronghold and fortified position in their land was in the possession of the royal forces of Spain, still the Mexicans, struggling for freedom, were unsubdued. Hope and national pride urged them on to continued exertions, even where hope in other people would seem to falter. Judging from these historic facts, are we not forced to believe, that to maintain our occupancy of Mexico in the event of total subjugation, would require an armed force to be always kept there, at least as great as that required for the conquest? Would it not entail upon us expenses that never could be met by the revenues of that country, should we seize them all? Would it not create a drain upon our own population, for military purposes, and a consequent waste of human life, which never could be compensated for by any advantages that could result from the conquests? For eight millions of people, revengeful, implacable, and faithless, would have to be held in subjection to a Government forced upon them against their will. Would not the war be interminable? Would not every outbreak, every flame of revolt, have to be quenched in blood—the blood of our proudest chivalry? In this, are we to find indemnity for the past and security for the future? If we are to credit the statements of the President and his friends, how can we hope to find in any treaty stipulations with Mexico, security for the future? Has not he, have they not all endeavored to demonstrate, that there is no Government in Mexico upon which the least reliance can be placed? How could we expect security for the future, in a treaty with an "anarchy," "a mob, which deserved not the name of Government," as he, and his friends on this floor, denominate the Mexican Government? They are preparing the way for total subjugation. We see it in their declaration, that we must have indemnity, and can only get it in the acquisition of territory, in the demand of security for the future, while they declare there is no Mexican Government to treat with, which can be relied on.

This pompous statement, therefore, of the President and his friends, of a vigorous prosecution to an advantageous and honorable peace, and of indemnity and security, does not satisfy the People as to the

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manner and purposes for which the war power is being exerted, nor justify a republican President in his practices of concealment, while he is exhausting the treasure of the People, his masters, heaping on them and their children hundreds of millions of public debt, and opening a fountain in their hearts from which has flown, and is still to flow, seas of blood. We want something more specific—something less in the ambiguous style of the soothsayers. We want to know the course of Executive action by which amicable relations were disturbed, and when disturbed, the Executive blundering or sinning by which a return to them was prevented; and we want to know why "aid and comfort" was furnished the enemy by our President, in furnishing the Mexican army with a General of great ability, in the return of Santa Anna. This we claim the right to know, not in connexion with the treaty power, but in connexion with the war power and its exercise—in connexion with the waste of blood and treasure in this war with Mexico. Santa Anna was at Havana, in exile, and generally understood to be a frequenter of the cockpits there. Rumor says Mr. Slidell Mackenzie was sent there to negotiate his return for himself and suite, in all about forty, and generally officers of skill. This rumor was credited by the people to such an extent, that Mr. Mackenzie on his return to New Orleans, was so much a lion that his own room could not be made sacred to his own occupancy and labors, and to avoid the lion-hunters, (I was informed by a respectable Democrat of the southwest who was then in New Orleans) he was obliged to seek the house of a relation, near the Pascagoula bay in the State of Mississippi—a more sequestered spot, where for some week or more, he was employed in translating his Spanish documents, and preparing his papers for report here at the seat of Government. This, as well as I remember, was in the spring of 1846.

Permit me now to take a hasty view of the state of Mexican affairs from the beginning of the Fall of 1845, to the Spring of 1846, and to invite your attention to some documents, which to my mind, show that the President knew, or ought to have known, when he concerted the return of Santa Anna, that he was the bitterest enemy of the United States that could be found in or out of Mexico; and also show, that the President knew we could have peace and an adjustment of our difficulties, honorable and advantageous to us, and that he studiously avoided the known means of bringing about such results, and by his own wilfulness plunged the nation into war. Herrera's Government had been friendly to the United States and to peace. The revolution which placed him in power was the only one which Mexico had known for some time that did leap from the hearts of the people. It was a popular exertion which had overthrown military despotism. And yet our Executive would not permit that Government, thus friendly to our claims and to peace, to exist; but, by the embarrassment he pressed upon it, and plotting for the restoration of Santa Anna, overthrew Herrera, and placed the affairs of Mexico in the hands of a bitter enemy of the United States. Just before the return of Santa Anna, our glorious chieftain, General Taylor, whose skill and intrepidity as a General were equalled by the clearness of his head, and the greatness and goodness of his heart, had met the Mexican forces and overthrown them on the banks of the Rio Grande. Their army was scattered and their resources destroyed; a miserable remnant of it had taken refuge at Monterey, which by degrees grew into a large force. They were, however, without any General in whom the people had confidence, and who could cluster around him, in time of the national peril, the military spirit of the country. Where could they find such a General? How were they to obtain him? There was but one attainable to them; he was then an exile—had been driven out for abuse of power; he was a General of skill, of exhaustless resources of mind and energy of action, who could strike out of chaos the means to prosecute the war with vigor. That General was Santa Anna; and the President of this country sent him back to Mexico to head her armies and slaughter our soldiers. That he sent Santa Anna back to Mexico we all know. In his message of December, 1846, he admits it; but now we have something more specific; the pass, by virtue of which he made his way through our blockading squadron at Vera Cruz—I suppose we have it right, for I read from Ritchie's Union of the 14th January, 1848. It is in these words:

(Private and Confidential)

U. S. NAVY DEPARTMENT, May 13, 1846.

COMMODORE: If Santa Anna endeavors to enter the Mexican ports, you will allow him to pass freely.

Respectfully yours,

GEORGE BANCROFT.

Commodore DAVID CONNER, Commanding Home Squadron.

Here is the pass granted by Mr. Bancroft, the President's Secretary of the Navy; and does any one believe it was done without the knowledge and consent of the President? Granted, too, on the very day that Congress passed the first war bill—that in which the President's statement was echoed, that war existed by the act of Mexico. The President does condescend to tell us, that he had no understanding, direct or indirect with Santa Anna, or any other person, for his return. Does any one believe it? If there was no understanding, if Santa Anna knew nothing of the Navy order, how is it to be accounted for that a man of his sagacity, with the avowed design, as I shall presently show, of joining and directing against us the armies of our enemies, should sail in the little Arab up into the face of our well-appointed and powerful squadron? Did he not know that, when he made his appearance there, he would be permitted to pass into Mexico? How could he have known it if there had been no understanding, direct or indirect?

Let us now read an extract from the letter of Com. Conner to the Navy Department, dated "on board the Princeton, Sacrificios, August 16, 1846."

"I have allowed him (Santa Anna) to enter without molestation, or even speaking his vessel, as I was informed by the senior English naval officer here (Capt. Lambert) she carried no cargo and would not be allowed to take any in return. I could easily have boarded the Arab, but I deemed it most proper not to do so, allowing it to appear as if she had entered without my concurrence. It is now quite certain the whole country—that is, the garrison of every town and fortress—have declared in his favor. But unless he has learned

something useful in adversity, and become another man, he will only add to the distractions of the country, and be burled from power in less than three months."

Here we see Santa Anna is returned into Mexico by the authority of our President, who has concealed, and appears still determined to conceal from the sovereign People his object in so returning him, and has carried his doctrines so far as to induce the gallant Commodore to adopt his principles of concealment, and to declare he thought it best to let him (Santa Anna) pass without its appearing to be by his concurrence. Although most of us have seen a published letter, written at the time by a Lieutenant of the Navy, in which he said, that by the order of Commodore Conner he did board the Arab, took a glass of wine with Madaine S., and brought off a box of cigars as a present to the Commodore, without disturbing the slumbers of the returning Mexican General. The consequence of that return is written in blood on many a battle-field, and read in tears in many a desolated home. Still the friends and advocates of Executive prerogative, when the People demand information of the President, as to how their war power is being exerted, cry out "aid and comfort." The gentleman from Indiana (Mr. ROBINSON) told us yesterday, that every moment we delayed voting the President the supplies of men and money he demanded—voting them "hoodwinked," I suppose—we were "affording aid and comfort to the enemy." What does that gentleman think of the "aid and comfort" afforded the enemy by our President, in sending them Santa Anna and his suite to lead and direct their forces against us; to establish order where all was anarchy—to create resources where all was exhaustion? He is ready to encourage and sustain the Executive in this outrage, and justify him in his refusal to give to the people information, which they have a right to demand and receive, on the principle, I suppose, that the King can do no wrong.

I said the President ought to have known when he was plotting for the return of Santa Anna, that in him he was sending into Mexico the bitterest enemy of the United States. His own hands have furnished us the proof. I read from the annual message of 1846, and documents accompanying, page 37, extracts from a letter written by Santa Anna, dated Havana, March 8, 1846, as follows:

"To draw every thing to the centre, and thus to give unity of action to the Republic, as lat one time considered best, is not longer possible; nay more, I say it is dangerous; it is contrary to the object I proposed for myself in the unitarian system, because we thereby expose ourselves to the *separation* of the Northern Departments, which are the *most clamorous for freedom* of internal administration.

"Seeking always what seemed to be most advantageous to the nation, I have resolutely maintained views, which, if they have not led to favorable results, have been the offspring of sincerity and good faith. Facts have since convinced me, that by following them longer, nothing could be settled, and the co-operation of the people could not be secured in order to *preserve us* from the *terrible invasion* with which we are threatened from the North; because not content with any of the institutions given them since 1834, they oppose, at least, a force of *inertia*, which renders every proceeding difficult and ineffective. * * * *

"In two words, I became persuaded, that without leaving the Republic at liberty to organize its own system in the manner which it considered best, and submitting to the ideas of the age, according to which all the branches of our administration should be adapted, we should never attain prosperity, nor should we preserve our national existence from the *ambitious efforts* of our Northern neighbors."

I said the President ought to have known that these sentiments were entertained by Santa Anna; for this letter which came through his hands, was written about the time Mr. Mackenzie visited the exile at Havana. In it he (Santa Anna) denounced the Northern Departments of Mexico as "clamorous for freedom," as opposing to his schemes "a force of *inertia*." These were the Departments supporting Herrera's administration, friendly to us and to peace. We are the "Northern neighbors," whom he denounces as threatening their "national existence" by "ambitious efforts." In returning such a man to Mexico, what could the President calculate on but war to the knife. It was in relation to this extraordinary movement, this suicidal folly on the part of the President, involving such terrible consequences and cost in money and in blood to the People of the United States, and in connexion with the exercise of the war power of the Government, that this House had asked to be informed by the President—

[Here the Chairman's hammer fell, the hour having expired.]

IN THE HOUSE OF REPRESENTATIVES, MARCH 14, 1848.

The special message of the President of the United States, in answer to the call of the House for information as to the instructions given Mr. SLIPPEL, Minister to Mexico, and the return of SANTA ANNA, by the permission of our Government, being under consideration, Mr TOMPKINS said—

MR. SPEAKER: I will proceed in the course of remarks, I commenced on this subject, in Committee of the Whole, on the 19th January last. Since that time circumstances have somewhat changed; we have now what we had not then, the prospect of peace before us. It may, however, prove an illusory prospect. I hope not. But whether realized or not, the principles involved in this discussion have not changed, they remain the same; like the principles of truth, the principles of free government are eternal, unchangeable, however mutable agencies and practices in detail may prove. In the former portion of my remarks I was proceeding to show that the war had not been commenced in accordance with the Constitution, but by an act of glaring usurpation on the part of the Executive. I was about to show that the offers of peaceable adjustment on the part of Mexico had been scouted and rejected by our President, who, when he knew we could have peace, seemed carefully to avoid all the means, and to resort to such steps as he knew must of necessity produce war, and that at a time when Congress, the constitutional war-making power was in session, without, in the slightest degree consulting, or even informing them, as to what was

going forward. And most probably because he was convinced that the patriotic wisdom of Congress would have averted the storms of war.

Having thus adverted to the course of remarks I pursued in the commencement of my speech, and propose now to continue, I may perhaps be pardoned the expression, that, since the 19th of January, and in consequence of what I then said, I have been made, in some degree, the target at which the shafts of detraction and calumny have been hurled by men on this floor, by editors and letter-writers, the hirelings, sycophants, and slaves of Executive power. From such sources a storm has burst upon my head, the echoes of which have resounded along the hills and valleys, from the centre to the circumference of the nation. This, however, has been the case in all times. Those who have advocated the rights of the People, who have dared to speak in strong terms in defence of freedom, have ever been assailed by the friends and supporters of arbitrary power, the panders to tyrants. Hampden and Sidney, in their days, the champions of popular rights, were made the victims of royal tyranny, and were decried by the slaves who surrounded the throne. In later days our Henry, Hancock, the Adams', were, with like rancor, assailed by the toadies, the serpents who coiled themselves around, and embraced in their slimy folds (and had no higher ambition) the footstool of George III. It is not strange, then, that men of the present day, who vindicate the rights of the People against Executive encroachment, should meet a tornado of denunciation and calumny from the hordes of Executive retainers and expectants of Executive favors. For me, I shall endeavor to do my duty, regardless of consequences to myself. Whenever I see Executive aggressions dangerous to our institutions, it shall become my duty, and be my pride, to hold them up to the gaze and condemnation of an enlightened People, jealous of their liberty.

I will go on with the course of remarks I had prescribed to myself, and when I get through, if time will permit, I will notice, with all frankness, and with due kindness, the gentlemen from Virginia, (Mr. BEDINGER,) Indiana, (Mr. HENRY,) my colleague, (Mr. FEATHERSTON,) and possibly some others, who have assailed and misrepresented, (I hope not intentionally.) some of the positions I assumed on the 19th January.

I think in the examination made we find much to demonstrate, and in the examination I am about to prosecute we will find much more to prove, to be sure by circumstantial evidence in part, yet of such a nature as would be pretty conclusive before a jury, that the President has been guilty, either of gross dereliction of duty, or treasonable action towards the People of the United States, and that these circumstances required and justified the Representatives in demanding of him an exposition—but we are met by Executive refusal. I had gone on to show, by circumstantial evidence I admit, that there had been a mission sent by our Government, rather our President, to Santa Anna, while an exile at Havana, the object and effect of which was to restore him to Mexico—to place him in a position where he had concentrated the military power of that Republic for the more terrible destruction of our forces—to enable him to organize that effective resistance which has caused floods of American blood to flow upon and fertilize the thirsty plains of Mexico. And, also, that at the time Mr. Slidell Mackenzie was probably at Havana, negotiating for the return, five months before the return of Santa Anna was effected through our blockading squadron, and more than two months before the date of the pass furnished him by our President, Mr. Polk must have been acquainted with the opinions Santa Anna then entertained, and had expressed of us as a nation—must have been aware of his sentiments expressed in his letter of the 8th of March—where he indulges the most rancorous hatred of the people of this country, and speaks of us as making *ambitious efforts to extinguish their national existence*. I have shown that Mr. Polk had no reason to calculate on the pacific co-operation of Santa Anna, but as a reasonable man, must have known he would give, as he did give, to the Mexican escopet and poisoned ball a more destructive, frightful influence on our gallant troops. And I had stated that Herrera's administration was disposed to treat with us of the difficulties between the two Republics; but, before I could proceed to the demonstration of this proposition, the expiration of the hour arrested my remarks.

Let us examine now the evidence of Herrera's inclination to settle difficulties by negotiation, and the evidences of our President's settled determination to reject all overtures of the kind. Preparatory to this examination, I will notice one point made against me, with considerable confidence and ostentation, by my colleague, (Mr. FEATHERSTON,) and the gentleman from Virginia, (Mr. BEDINGER.) That point was, that I had said, on the 19th of January, the Government of Herrera was overthrown by Santa Anna. They then pompously referred to the fall of Herrera, at the close of the year 1845, and the return of Santa Anna in August, 1846, to prove the falsity of the position. The position they assume is itself false. I made no such statement. I said nothing like it. I could not so flagrantly have violated chronological order. The newspaper report of my speech, in the hands of each of the gentlemen when he spoke, and from which they occasionally read, contained no such point. They misstated my point. They set up a man of straw of their own, and pulled him down again. What motive could have induced them to falsify my position that they might achieve a seeming victory, I am at a loss to conjecture. Nothing worse, I hope, than a hasty zeal. I did however allude to the plotting, the embarrassments pressed by Mr. Polk on Herrera, as contributing to the overthrow of that administration, and to defeat our prospects of pacific arrangements, and the action of our President in restoring Santa Anna to Mexico, as a step to place him in command, to give to our enemy the advantages of his military skill, his indomitable energies, and commanding influence in organizing and leading their armies against us,

I now begin the examination of the train of circumstances, facts, and events, which prove that we could have had with Mexico honorable peace, instead of wasting war, and that the President knew it. First, I present the letter of Mr. Marks to Gen. Taylor, dated village of China, on the river San Juan, September 23, 1845; and his letter to the Secretary of State, dated New Orleans, October 19, 1845, enclosing a copy of that to Gen. Taylor. These letters are to be found in the State Department, where they have been ever since about the 1st November of that year.

"VILLAGE OF CHINA, ON THE RIVER SAN JUAN, September 23, 1845.

To Gen. Z. TAYLOR, Commanding the U. States Troops, at Corpus Christi, (Texas)

SIR : I have the honor to inform you that I have had several conferences at Monterey with Gen. Marian Arista, Commander-in-Chief of the Mexican forces on the frontier of the Rio Grande, in relation to the differences at present existing between the United States and Mexico, and I am pleased to state to you, that, from the opinions and views he made known to me, the Cabinet of Mexico is disposed to enter into an amicable arrangement with the United States in relation to the boundary and other momentous questions. Although I was not clothed with any official authority, I took upon myself, as a citizen of the United States, desiring to see the two countries in harmony of friendship, to say, that it has ever been and is the policy and sincere wish of the Government and people of the United States, to cultivate the good will and friendship of the sister Republics of the American Continent, and most especially Mexico, and that I was confident the United States would make a liberal settlement with Mexico relative to the boundary question.

As Gen. Arista was under the impression that I was a secret agent of the United States, though I declared to him quite the contrary, and that I was only acting as a private individual endeavoring to avoid a recourse to arms between the two countries, he, nevertheless, thought it advisable to send a minute of our conference to his Government, and assured me that there will be no declaration of war on the part of Mexico until I can proceed on to Washington, and lay before the President the views of Mexico of which I am possessed.

Gen. Arista pledged his honor to me that no large body of Mexican troops should cross the left bank of the Rio Grande; that only small parties, not to exceed 200 men, should be permitted to go as far as the Aroya, Colorado, (twenty leagues from the Rio Grande,) and that they would be strictly ordered only to prevent Indian depredations and illicit trade. I then had no hesitation in assuring him that you would commit no aggressive act against Mexico, or her citizens, and that you would solely maintain the position you at present occupy at or near the Nueces river. I trust, in having made this assurance to him, though I again repeat, I did it as a private citizen of the United States, it will meet with your approbation, and be adhered to, as in a great measure, peace depends on your prudent movements in this particular. Gen. Arista spoke, also, of Indian incursions on the frontier of the Rio Grande, and is under the impression that they could be prevented by the troops under your command, as the Indians always come from the Nueces river. I expressed my profound regret at the frequent atrocious acts of the Indians, and said that you would no doubt, in future, use all endeavors to prevent them, as the United States was bound, by the treaty of April, 1831, to prevent them as far as possible. He suggested, that if you would station a body of cavalry at the pass of Salas (head waters of the Nueces) through which mountain pass they invariably proceed to the Rio Grande, it would effectually check them.

I shall leave this village to-morrow for Matamoras, at which port I shall arrive in three days; from thence, I shall embark in the first vessel for the United States, proceeding immediately on to Washington, to lay before the President the information and news of Mexico which I am possessed of. In the meantime, should you deem this note of sufficient importance, I trust that you will transmit a copy of it by express to the Government, as by timely action much good may result therefrom.

I beg leave to congratulate you that the door is opened to an amicable adjustment of the vexatious questions between the United States and Mexico, and feel happy in having been instrumental in this great and good object.

I am with great respect, sir,

Your obedient servant,

ISAAC D. MARKS.

MR. MARKS TO MR. BUCHANAN.

NEW ORLEANS, October 29, 1845.

To the Hon. JAMES BUCHANAN, Secretary of State.

SIR : I have the honor to transmit herewith a copy of a letter addressed to Gen. Z. Taylor, at Corpus Christi, from the village of China, Mexico. I despatched it by special courier to him, but was subsequently informed that the express was detained at the town of Cañargo, on the Rio Grande, up to the 7th instant, by reason of continual rains. I beg leave to add, that I arrived in this city yesterday from Matamoras, and will leave to-morrow for Washington.

I am with great respect, sir,

Your obedient servant,

I. D. MARKS.

Do not these contain evidence of a disposition on the part of Mexicans to settle difficulties by diplomacy? Do not events show that the President knew it as early as November, 1845? In these letters there is evidence that Gen. Taylor had not received that of 23rd September, when he wrote to the War Department on the 4th October, 1845, in which letter he is charged by the President's friends with advising the steps which brought on the war. It is a false charge. He did not advise war. In that, the letter of the 4th October, he referred to the instructions given him by the Secretary of War, dated 15th June, 1845, and copies the language therein employed. Here it is:

"The Secretary of War directed me (Gen. T.) to select and occupy, on or near the Rio Grande, such a site as will consist with the health of the troops, and will be best adapted to repel invasion."

These were his orders, issued to him as early as June, 1845. As a soldier he had nothing to do but to obey. At another point, in this letter of the 4th October, the gallant old General says :

"It is with great deference that I make any suggestions on topics which may become matter of delicate negotiation; but if our Government, in settling the question of boundary, makes the line of the Rio Grande an ultimatum, I cannot doubt that the settlement will be greatly facilitated and hastened by our taking possession at once of one or two suitable points on or quite near that river."

Is this advice to make war? It is but his opinion, based on a certain condition; that condition is, "if our Government had determined on the Rio Grande as the boundary, and to make that an ultimatum," to take "nothing shorter," then, in that event, he thought it best to take position there at once. But suppose his opinions and his advice on the 4th of October was immediate hostile movements against Mexico, still the Government did not finally order such movement till the further opinions of the General were known. For these further opinions, I refer to his letter of the 7th November, 1845, to the War Department, from which I read the following extract:

"The communication from the Secretary of War, dated October 16, was received and acknowledged on the 1st and 2d inst. I purposely delayed a detailed reply to the various points embraced in that communication, until I could receive an answer to mine of October 4th, which covered, at least in part, the same ground.

The intelligence from Mexico, however, tends to modify in some degree the views expressed in that communication. The position (Corpus Christi) now occupied by my troops, may perhaps be the best while negotiations are pending, or at any rate till a disposition shall be manifested by Mexico to protract them unreasonably. Under the supposition that such may be the view of the Department, I shall *make no movement from this point, except for the purpose of examining the country, until further instructions are received.*"

Does this look like advising war? This declaration that he would make no forward movement from Corpus Christi till further orders were received? What was the intelligence that tended to modify his views? Evidently the letter of Mr. Marks, which he had not received on the 4th of October, but which he had received, and which he knew the Secretary of State had received, before the 7th November. It is needless here to refer specifically to the mission of Dr. Messa, from the Northern Departments of Mexico, to this Government, to tender the friendly co-operation of those Departments, in the autumn of 1845. Those of the President's friends, who will take the trouble to inquire, may find how he was kept almost a prisoner for months in the house of the Secretary of State; and though he brought to our Executive the most earnest and decided assurances of the friendship of the North of Mexico, he was in the end unceremoniously "whistled down the wind," because, most probably, any pacific arrangement with him would be inconsistent with the President's engagements with Santa Anna.

The next link in the chain of facts and circumstances which tend to show that the President knew we could have peace, while he was cunningly and heartlessly laying the train which was to explode in war, will be found in the letter of Mr. Black of the 17th October, 1845. Mr. Black was our consul, resident at the city of Mexico. From which letter, a letter to the Secretary of State, I read the following extract:

"I requested an answer might be given as early as possible, and desired to be informed at what time it would likely be given. He (Pena y Pena, the Mexican Minister of Foreign Affairs) promised that on Wednesday evening, the 15th, and requested at that time a private interview with me, to be at eight o'clock in the evening, not at the department, he said, but at his private dwelling, in order, as he said, that the affair might be kept as close and as little exposed to public view as possible, to avoid suspicion. At the time appointed, I went to his house; he being alone in his study, received me cordially and politely, and told me the answer was ready, and only wanted his signature, which he placed to it in my presence, stating at the same time, that he would accompany the answer with some verbal, frank, and confidential explanations, which, after reading to me the answer, he did in the following manner: He said that the Mexican Government, notwithstanding it felt itself much aggrieved and offended by the acts of that of the United States, in relation to the affairs of Texas, yet it would appear to be out of place to express those feelings in a communication of this nature; and that, if the *Government had but itself to consult*, the expression of these feelings would have been left out of the communication, as they only tend to irritate; but that I knew as well as he did, that Governments like ours must endeavor to reconcile the feelings and opinions of the people to their public acts; and that I also knew very well, that a strong opposition were daily calling the attention of the public to, scrutinizing and condemning every act of the Government, and that the Government endeavored to give them as little pretext as possible; and, therefore, wished me to make this explanation to my Government. And that, in relation to the qualities he had recommended to be possessed by the person to be sent out by the Government of the United States for the settlement of existing differences, it was the wish of the Mexican Government, and would be for the good of both countries, that a person suitable in every respect, should be sent, endowed with the necessary qualities, and *not one against whom the Government or people of Mexico should unfortunately entertain a fixed prejudice*, which would be a great obstacle in the way to an amicable adjustment of differences. * * * * *

"And that, in order that the coming of the *Commissioner* (not envoy) might not have the appearance of being forced on them by threat, his Government wished the naval force of the United States, now in sight of Vera Cruz, should retire from that place before his arrival; and requested that I should inform his Government by a communication, as soon as I should know the fact of their having left. These things he repeated more than once, and with the appearance of a great deal of earnestness, and enjoined it upon me not to fail to advise my Government."

Here is evidence furnished to our President by our consul-resident at Mexico, of the pacific inclination of Herrera's administration. Let us now consult the diplomatic note of the Mexican Minister, Pena y Pena, of the 15th October, the note sent to our Government with his letter of the 17th, in which he explains to our State Department, the private, verbal, and as he says, frank and earnest explanations of M. Pena y Pena. In this note of the Mexican Minister we find the same evidence of amicable disposition to this Government on the part of Herrera's administration that is furnished by Mr. Black. I will read from it the following extracts:

"I have to say to you, that though the Mexican Government is deeply injured by the United States, through the acts committed by them in the Department of Texas, which belongs to this nation, my Government is disposed to receive the *Commissioner* of the United States, who may come to this capital, with full powers from his Government to settle the *present* dispute in a peaceful, reasonable, and honorable manner; thus giving a new proof, that even in the midst of injuries, and of its firm decision to exact adequate reparation for them, it does not repel with contumely the measure of reason and peace, to which it is invited by its adversary.

"As my Government believes this invitation to be made in good faith, and with the real desire that it may lead to a favorable conclusion, it also hopes that the *Commissioner* will be a person endowed with the qualities for the attainment of this end. * * * * *

"What my Government requires above all things is, that the mission of the *Commissioner* of the United States, and his reception by us, should appear to be always absolutely frank and free from every sign of menace or coercion. And thus Mr. Consul, while making known to your Government the disposition on the part of that of Mexico to receive the *Commissioner*, you should impress upon it, as indispensable, the previous recall of the whole naval force now lying in sight of our port of Vera Cruz. Its presence would degrade Mexico while she is receiving the *Commissioner*, and would justly subject the United States to the imputation of contradicting by acts, the vehement desire of conciliation, peace, and friendship, which is professed and asserted by words."

In these papers there is, to be sure, much bluster about injuries, reparation, and all that; but who did not know it was mere Mexican gasconade, quite harmless, like our 54° 40' bluster, to get 49° the more easily; a mere diplomatic finesse! The experience of our own diplomacy teaches us, that tricks are not excluded from that science. Herrera, through his Minister at all events, agreed to receive a *Commissioner*, not a Resident Minister, not an Envoy Extraordinary, to treat of the particular difficulty which was about to change the relations of the two Republics from those of amity and peace to bloody war. He desired a Commissioner, such as nations under such circumstances usually appoint, such as we appointed to settle, from time to time, difficulties with the British nation, which threatened war—"a person endowed with qualities proper for the attainment of the end"—against whom the Mexican Government and People entertained no fixed prejudice. They begged that they might not be degraded by being required to negotiate under the guns of our blockading squadron. The Minister invites our consuls to his house, under the cover of the night, to explain to him, confidentially, the difficulties which surrounded the Administration of Herrera, treats him, as the consul himself declares, with cordiality and politeness; is frank and earnest, in the language of Mr. Black, in his explanations and the expression of his desire for peace, and very distinctly holds up to him the popular jealousies and prejudices the Administration had to encounter. All this is communicated in due time to our President. To these amicable advances, official and unofficial, these overtures, direct and indirect, no-responsive note of peace was heard from the White House; throughout all its purlieus ran the muttered but exciting cry:

"Draw, archers, draw, your arrows to the head,
Spur your proud horses hard, and ride in blood."

In blood they have ridden, the blood of American citizens, when, under prudent management, we might have had the calmness and beauty of the flower-garden. To the offer to receive a special *Commissioner*, our President insists on a Resident Minister, with the character and power of an Envoy Extraordinary. To the beseeching, earnest request, that the fleet might be withdrawn, so that Mexico might not be degraded in the estimation of the nations of the earth, by appearing to be forced to negotiate at the cannon's mouth, our President increases the strength of the squadron, and stations it nearer to the port of Vera Cruz. To the statement of the difficulties growing out of the jealousies and prejudices and pride of the Mexican people, and the intimation that time was necessary to prepare the public mind, and to reconcile the popular feelings to such a treaty as this country could accept, Mr. Polk becomes more imperiously pressing for instant action. These were the embarrassments he pressed on Herrera's Administration, which destroyed popular confidence in it, and ultimately overthrew it, to give place to one inimical to the United States and peace. He knew that Administration could not, as with the sceptre of the despot, hush at once the clamor, and quiet the prejudices of the Mexican people. Time, with Herrera's prudence, and the energy, and tact, and plausibility of Pena y Pena, might, and most probably would, have effected an object so desirable. The note of the Mexican Minister, and the private confidential explanation to Mr. Black, bear internal evidence of the strong desire of Herrera to maintain peace. That night interview with Mr. Black, that cordial and polite treatment of him, that frank and earnest explanation, were among the pretexts seized by the enemies of this country to overthrow the Administration there, which was friendly to us; because it was discovered that these concessions made no impression on our Executive; that there was a determination here to degrade Mexico, in denying her the right even of apparent free negotiation, and to compel her to treat in range of our cannon shot; and to deny her the common right of nations, the right to ask a special Commissioner instead of an Envoy, when the matter to be treated of was to avert a war—a right we had repeatedly conceded to England. They could not see, as many of us do, Mr. Polk's reasons for this difference in his practice towards the two nations. Mexico is a poor, weak power, and a war with her brings us a long list of victories and glories, not, however, without blood; while a conflict with the stalwart power of Great Britain would cost us much more in blood, without the same catalogue of splendid triumphs.

I have said Herrera's Government was disposed to be friendly to ours, and to adjust pending difficulties. In addition to the proof I have arrayed in support of that opinion, I now read to you from the letter of Mr. Black to the Secretary of State, Mr. Buchanan, dated Mexico, Nov. 4, 1845. Here it is:

"I wish this Government (Herrera's) may stand, as I think it well disposed to arrange all matters with the United States."

With this letter of the 4th Nov. Mr. Black communicated to Mr. Buchanan a printed newspaper, published in the city of Mexico, entitled "El Amigo del Pueblo," dated Nov. 1st, 1845. I have not seen the paper, but am credibly informed and believe it is now on file in the State Department. It contains an article on the subject of the then expected negotiations between this Government and that of Mexico, of the character of some of the claims of our citizens on that Government, and the persons, or rather one person, to be connected with our mission. That paper must have been sent by Mr. Black to advise our Government of the powerful prejudices of the Mexican People against that person, then expected to be, and who eventually was connected with that mission, so that the obstacle might be avoided, by omitting to appoint that particular individual. That paper must have been received here, and consequently Mr. Polk informed of those objections and prejudices within the month of November, 1845, and before the meeting of Congress in that year, and before the nomination was sent into the Senate. Through an obliging and very intelligent friend, whose integrity is above all suspicion, I have obtained a translation from the article in El Amigo del Pueblo, of November 1, 1845. It was translated from the identical newspaper on the files of the State Department. It may not be a strictly literal and full translation of the whole article, but my friend assures me it is a faithful exposition of the statements and sentiments expressed. The translation reads:

EL AMIGO DEL PUEBLO.—Mexico, November 1, 1845.

~~HORRIBLE TREASON!!~~

To the People and to the Army.—If you have any regard for your honor, if you know what are your inalienable rights, if you are not cowards incapable of sustaining them, if you still preserve any of the civil virtues which your enemies have been forced to concede to you, if there still remains to you any regard for independence and that liberty which you victoriously won with your blood, if you have witnessed or read of the glorious deeds of the veteran heroes, Hidalgo and Allende, Morelos and Iturbide, whose deeds the world will always admire, if, in fine, you are men, do something in this extremity to prove it. If you wish to have a country, hasten to preserve it as you once rushed forward to create it, in declaring your Independence. This country is in danger of being lost, and this bad Government, which is in fact no Government, but a faction of infamous conspirators, are the first traitors which lend themselves to its loss. Oh! doubt it not, Mexicans! This vile Government has been deceiving you. * * This vile Government has been and is in correspondence with the usurpers, with the enemies of our country. Parrott, the Yankee Parrott, and the American Consul in Mexico, are those who have agreed with it, (the Government,) for the loss of Texas, as a vile seducer agrees with a bawd for the destruction of a virgin; and this same Parrott has departed for the North ~~to~~ to say to his Government to send a Commissioner to make with our Government an ignominious treaty, on the basis of a shameful surrender of Texas, and we know not what other part of the Republic. ~~to~~ This is as certain as the existence of God in Heaven.

Will you permit it Mexicans? Will you consent to such dishonor? The usurpation of what the Yankees call Texas, carries with it that of the valley of the Rio Grande, and this the total loss of our Nationality and Independence; just as the possession of Vera Cruz gave to our conquerors the possession Tlascalla, the possession of Tlascalla the capture of Mexico, and the taking of Mexico the enslavement of our country.

This vile conspiracy of hypocrites and philosophers who call themselves a Government, is bringing opprobrium on the country, and ought not to be permitted to go further, if we do not wish to be considered by posterity as the accomplices of their infamy. They have degraded, disgraced the very name of the Mexican Government, by stooping to treat with Parrott, who is a man obscure and without character, a shameless sharper, a low fellow; who, to evade justice and the laws, once fled from this city, concealed in a bed; Parrott, that ungrateful foreign adventurer, who came to establish himself in this country, and who returned to the United States to defame this Republic. His ealemnious sarcasms ought to arouse the Mexican most cold and indifferent to the honor of his country; this same Parrott, who has forged immense unjust claims, which figured among those set up by the United States against Mexico, which claims will enter into this apparent sale of Texas. This is the person with whom the Government has stooped to treat on subjects of the highest importance to the existence and honor of our country! Shame on you, Mexicans, to have such a Government; so abandoned, so hypocritical, so traitorous; and which has neither the necessary decency nor the judgment to treat properly on matters touching the Republic. Such a Government is no Government.

Parrott himself, in a debauch which he had, according to custom, on the eve of his departure, disclosed these secrets.

Far be it from my purpose to endorse these Mexican charges against Dr. Parrott. I am not acquainted with him, and certainly do not intend to impute to him any impropriety in relation to the preferment of his claims against Mexico, nor other improper conduct, nor even to insinuate against him any unfitness for the office of Secretary of the Legation to Mexico; but I do design to charge upon the President great impropriety of conduct in appointing him Secretary of that Legation, and sending his nomination to the Senate, to be advised and consented to, after he had such decided proof that Dr. Parrott was so very objectionable to the Mexican people; that he was a person, in the language of Mr. Black, and of the Mexican minister, Pena y Pena, against whom the Mexicans "unfortunately entertained a fixed prejudice;" a person not "endowed with the qualities proper for the attainment of the end" desired, peace; in short, a person, whose connexion with the mission Mr. Polk must have known would irritate and exasperate the Mexicans, and defeat the peaceful objects of the mission. What though those prejudices were unfounded and unreasonable, and most prejudices are so, but they are the more dangerous on that account. You cannot reason with blind prejudice. Would an ordinary prudent man appoint as his agent, to settle a subject of difficulty with his adversary, one against whom that adversary entertained violent prejudices and hatred? If he did, could he hope for favorable adjustment? There was certainly no scarcity in the country of qualified men to fill this appointment; one not objectionable to Mexico ought to have been appointed, and would have been, if it had not been the settled determination of the President to thwart the peace mission, and plunge the country into war. After the President had received, I say received, for the paper in the State Department I consider as having been received by him, unless his Secretary of State defrauded him by withholding information so important, this newspaper, containing such imposing evidence of the prejudice of the Mexican people against Dr. Parrott, and through a source so reliable as the United States Consul at the city of Mexico, he sent to the Senate, to be confirmed, the nomination of the doctor. It was confirmed in January, 1846, some two months after the receipt of the newspaper. If this paper had been sent to the Senate with the nomination, do you believe it would have been confirmed? No. In that event, the wisdom and patriotism of the Senate, would have been again employed to avert the storm of war. Ought this information to have been withheld from the Senate? On January 20, 1846, Mr. Buchanan wrote to Mr. Slidell, as follows:

"Should the Mexican Government, by finally refusing to receive you, consummate the act of folly and bad faith, of which they have afforded such strange indications, nothing will then remain for this Government but to take the redress of the wrongs of its citizens into its own hands. * * * * *

In the meantime, the President, in anticipation of the final refusal of the Mexican Government to receive you, has ordered the army of Texas (General Taylor's) to advance, and take position on the left bank of the Rio Grande, and has directed that a strong fleet shall be immediately assembled in the Gulf of Mexico. He will thus be prepared to act with vigor and promptitude the moment that Congress shall give him the authority."

Mr. Buchanan was right in his statement, that the President, in anticipation, had ordered the army forward, to prove which I will read the order. It is the letter of the Secretary of War to General Taylor, dated 13th of January, 1846, in which he says:

"I am directed by the President, to instruct you to advance, and occupy with the troops under your command, positions on or near the east bank of the Rio del Norte, (Grande,) as soon as it can be conveniently done in reference to the season, and the routes by which your movements must be made."

This is the first positive order to move forward, though the letter from the War Department to General Taylor, of the 15th of June, 1845, contains these words :

"The point of your ultimate destination, is the western frontier of Texas, where you will select and occupy, on or near the Rio Grande del Norte, such a position as will consist with the health of the troops."

Take these in connexion with the other facts and circumstances we have reviewed, and I ask if they do not demonstrate a fixed purpose, in the mind of the President, to have war, and not peace. When Mr. Buchanan wrote this letter, of the 20th, in which he spoke also of the great "*solicitude of the President*," and Mr. Marcy issued his order of January 13th, 1846, Congress was in session, and had been for more than a month, yet the President does not inform Congress of the accumulating embarrassments and dangers of our relations with Mexico, nor communicate to them the facts which inspire him with such "*great solicitude*." He does not ask Congress to make war, but, concealing his movements from the People and their Representatives, rushes into war. According to his own doctrines, the occupation of disputed territory is not only cause for war, but actual war. For proof of these, his opinions, I refer the admirers and panegyrists of his consistency to his speech on Dr. Lynn's Oregon bill, to which he was opposed; but then that was a dispute with mighty England, not with puny Mexico. If Congress had been informed by the President, in his annual message, delivered in December, 1845, of the true condition of affairs with Mexico, war, in all probability, would have been avoided. We understand that the Constitution and the law require of the President to communicate to Congress the true state of the country and of public affairs, and that his oath of office imposes on him the obligation in this respect, to observe the Constitution and the law. I believe he would have done so, but for the reason that he believed if he did, he could not have precipitated the people into war.

General Taylor is now charged with bringing on the war. A glance at the facts we have noticed, will show how unjust, how absolutely false, is such a charge. In the face of the order of the War Department of the 15th of June, 1845, his letter of the 7th of November, in which he speaks of the intelligence from Mexico which modified his views, and in which he declared he would not move forward till further orders, and in the face of Mr. Marcy's order, of the 13th of January, 1846, to advance, is it not extraordinary that men can be found to make such a charge? The sagacious are at no loss to perceive the object. It is the fear that the war may prove generally odious, and is a movement, "*in anticipation*," to fasten the odium on some other head than that of the guilty. If, however, the war shall, as I trust it may, be happily and speedily terminated, and, most especially, if it and its consequences become generally popular, then, I tell you, you have heard from the gentlemen the last of the declaration that it was brought on by General Taylor.

It is in relation to the management of this war—a war begun by the President—managed by the President—the objects to be accomplished by it concealed and kept secret by the President—the means to be employed concealed by the President—the unofficered armies of the enemy supplied with commanding Generals by the President—that we, the People's Representatives, the war-making branch of the Government, ask to be informed, not for our own benefit, but for that of the sovereign People, who are suffering privations, toiling, bleeding, perishing, paying, and suffering the burden of an enormous public debt, in, and on account of the war. The people are insulted by the answer of the President. It is in substance, that his prerogative gives him the right to make what use he chooses of their money and their blood, and they have no right to demand an account of him for it. In these high assumptions, he finds apologists and defenders among the self-styled democrats of the times. Such was not democracy in the better and purer days of the Republic; but now-a-days, democracy means nothing more or less than a slavish subserviency to Executive dictations, to usurpations by the President, and a blind following by his party. The more startling the usurpations, the more fearful the power of encroachment exercised, the more abject the servility, the more clamorous the praises and flattery of his followers. Nothing is more common now than to hear in the mouths of the flatterers of the present Executive, both in high and low places, such terms as "the model President." The employment of such terms, in relation to Mr. Polk, seems to me to argue a low grade of mind or morals. Such an opinion of the man could only be entertained by a low grade of intellect, and if the opinion is not entertained, then certainly it requires a low grade of morals to give utterance to the expression. Yet gentlemen uttering this praise may be sincere, they may intend such a model as we see in the Patent Office. There the model of the cotton gin, a machine which does the work of one thousand men, may be held up in the palm of your hand; that of the steam engine, may be deposited in the crown of your hat; so, by the term "*model President*," they may not mean that he is a pattern for others to imitate, but that, like the models in the Patent Office, he is an imperfect miniature representation of what a President ought to be. They may mean that, in comparison with the grand, original, President Washington, he is of intellectual and moral proportions so very minute, that the model he constitutes might be concealed in the *vacuum* of a fly's foot. If this be their meaning, I acquit them of flattery, and accord to them the virtues of sincerity and truth. Another class of the President's friends delight in comparing him to Washington, and especially, in his refusal to answer the House resolutions as to how he was exercising the war power of the Government—for what purpose he was using the People's money, to the extent of hundreds of millions of dollars—with what object he was pouring out the People's blood. To make the parallel, they read Washington's message refusing to communicate certain facts in relation to Jay's treaty; there is no parallel in the two cases; in Washington's case the treaty power alone was involved, there was no war question there. In this case the war power is the one involved, and the manner of its exercise by the President is what we asked. It is said that, like Washington, he has proudly stood forth and insisted on

his prerogative ; that " Washington, like the mountain rock, withstood the torrent of democracy, and saved the country from the horrors of war," and therefore Mr. Polk is like him. If Mr. Polk had thus opposed the torrent, his friends might have some pretence to compare him with that best and greatest of men, Washington ; but, instead of a mountain rock, arresting the course of the headlong torrent, he leaped upon the boiling surface, the giddiest bubble that marked its onward career ; " how we applics swim," was, perhaps, the only words whispered to the mad elements around him. Like most of his defenders here, of the stump and the press, he had the precaution to turn aside into the safety of the official eddy, whilst the torrent he put in motion was hurried on to the gulf of blood and death. Was that like Washington ?

I find the Union, the chief of the Executive journals, agreeing with me in sentiment. In an article of that journal, of 31st December, 1845, we find the following : " It is right for the people, at all times, to obtain a full knowledge of the acts of their Executive officers." That is my opinion to-day ; but the Union and the smaller fry of Executive journals, and the slavish tools of the President here and elsewhere, now think the People have no right " to obtain a full knowledge of the acts of their Executive officers ; " but that the Executive, like the monarchs of Europe, is protected by the splendor of his *prerogative* !

In the few moments that remain to me, I trust that I may be indulged to reply to some, I cannot to all of the assaults which have been made on me by the advocates of Executive power, since I made my remarks on the 19th January. To my honorable colleague, (Mr. FEATHERSTON,) the gentleman from Indiana, (Mr. HENLEY,) and the gentleman from Virginia, (Mr. BEDINGER,) I have a few words of replication. Beyond these I will not have time to go. I have already said, to find a reply to me, they were driven to the necessity of misstating and falsifying my points. It was said by my colleague, and the gentleman from Virginia, that I had said Santa Anna's Administration had succeeded Herrera's by the aid of our President. It is not true, as I have said ; I did not say it, and no account of my remarks, which I have seen has so represented me, with the exception of the account given by the gentlemen themselves—an account wholly unsupported and wholly untrue, but necessary to give them, in the estimation of the uninformed, the semblance of a triumph. Every intelligent man here knows their appearance of victory was obtained, if at all, at the expense of truth. This point the gentleman from Indiana did not venture upon. In his moderate endowments he yet has the good sense to know that chronology is beyond his depth. My colleague, (Mr. FEATHERSTON,) had the temerity to attack my statement of the return of Santa Anna and his suite—said that no one had ever heard of the return of any but Santa Anna himself, and that I, out of this individual, manufactured forty—then quoted Falstaff's story of the men in buckram. This could have had but one meaning, and that was indirectly an imputation of falsehood. The young gentleman may be too young to observe passing events, but then he must be extremely young not to have learned that Almonte, and many others I might name, was of Santa Anna's suite, on his return under the pass ordered to be granted to him by our President. This he must have known, because the nine years old boys in his district knew it, and yet he can turn up his head here, and unblushingly declare there was but one, and that was Santa Anna. Indeed, he may say, with as much justice as his great prototype, Falstaff, " Good Lord, how this world is given to lying ! "

Here Mr. THOMPSON, of Mississippi, arose, and said he would inform his colleague (Mr. TOMPKINS) that his colleague (Mr. FEATHERSTON) was confined to his bed of scarlet fever.

Mr. TOMPKINS said, it is the first I have heard of it. I sincerely regret the misfortune of my colleague ; I hope he will be speedily restored to health. In his absence and illness I will spare him the notice I had intended to take of him ; but when he shall have recovered his health, and be present, perhaps some future fit occasion may enable me to say what I would like now to say, but which, on account of his illness, I will forbear, for I am the last of mankind to make rugged the pillow of affliction.

Mr. THOMPSON again rose, and said he did not wish to withdraw his colleague, who was absent and sick, from any notice the gentleman (Mr. TOMPKINS) might deem it necessary to bestow upon him.

Mr. TOMPKINS. No, but my sense of propriety, on being informed that he is sick, forbids a further notice that he might think unkind, and your frequent interruptions may withdraw from me many of the few moments left me for my remarks.

I will, therefore, Mr. Speaker, turn to a much more disagreeable thing, the gentleman from Indiana (Mr. HENLEY.) I beg his pardon—the term gentleman is perhaps offensive to him. In his remarks he has instructed me on this point ; for after saying the gentleman from Mississippi, he recalled it, and said the member from Mississippi. Well, I am content. It is a term of more definite distinction than " the gentleman," for we all know that many of the most accomplished gentlemen never become members of this House, while with mortification and regret, we are compelled to admit, that every member is not a gentleman (pointing at Mr. HENLEY.) He, too, launched into Shakespeare, and both edified and amused us with his pronunciation of the name of the Venitian Senator, whilst he vindicated his own scholastic taste in calling him " Grat-ti-an-ni." To demonstrate the constitutional and *democratic* orthodoxy of the President, in withholding from the Representatives of the People all information as to his concealed exercise of the war power of the Government, he detained us long in detailing circumstances of the late canvass in the 3d Congressional district in Mississippi—circumstances which were not true, of which he could not be supposed to know any thing, if true ; a dirty work, to do which I suppose he was set on by some one else, who felt it was too low and mean to be done by himself. However, when he thought balderdash of that sort necessary to illumine the pathway of legislation, I wonder he did not give us a few chapters on adventures of the kind in Indiana. If I am correctly informed, he might have told us of a certain member of Congress from Indiana, who, in 1844, addressing the voters of that State in favor of Polk and annexation, told them the Whigs were panic-makers ; that they said annexation would bring war with Mexico ; that it was false prophecy, and he would undertake, in the

event of war, to take a regiment of Indiana old women, with whom, armed only with broomsticks, he would drub Mexico into submission. Afterwards, when war actually came, when the Indiana regiments were at camp Whitcomb, he might have told you of that same member of Congress writing to them, calling them the b'hoys, telling them how much he desired to be among them, and to be one of them, and that he would, but for the pressing weight of his Congressional duties—saying, in the end, “go on b'hoys, and don't be surprised if I join you before you reach the table lands of Mexico.” He might, perhaps, have told you, too, of that same member of Congress, who, while canvassing again in 1846, for a seat on this floor, not having joined the regiments of his State before they reached the table lands of Mexico, nor afterwards, and while he was speaking, having a flag, constituted of a certain unmentionable article of an “old woman's” dress, thrust into his face, to remind him of his pledge to subdue Mexico with that regiment of old women. He might, too, have related, that, stung by this rebuke, he made the attempt straightway to raise that regiment, and that there was not one old woman to be found in all Indiana, so reckless of her reputation, as to enlist under his banner. I know not if that member of Congress be the same Tom Henley we have here now—I am informed and believe he is the same. But away with him. I beg the pardon of the House for having occupied so much of their time on a thing so despicable. I came not here to pursue small game. It is not the jackall, but the lion, his master, I am after; for him my piece is charged. It shall not even be levelled at any skunk, who may thrust his disgusting form, and still more disgusting odor, in my pathway.

By two of the gentlemen, the term “dog-eared,” was objected to—taken in high dudgeon.. They seem to forget that it is an inoffensive, common term, the signification of which is familiar to every school boy; that it merely signifies books with the leaves turned down at the corners. The term had nothing of offence in it to the gentleman from Virginia, (Mr. BEDINGER,) for the reason, that he being a gentleman, felt that it was no reflection on the ears of any of his relations.

But to the gentleman from Virginia. It seems that if I should escape the little mousing owls by whom I had been hawked at, I must fall beneath the fell swoop of the big eagle from Virginia, who, stooping from his favorite eyrie amid the peaks at Harper's Ferry, came with sweeping pinions and vengeful scream upon my devoted head. He has passed away. He fleshed not his beak. I saw no blood upon his talons. For aught I know, he rests content with his achievement; and I will not pause to inquire into the condition of his nest, to which he so beautifully and delicately alluded. It has often been said, that much more appears in the pamphlet reports of speeches made here, than was usually heard in them when delivered. That is sometimes called a fraud upon the public; but as speeches are not often made for the effect to be produced here, and but few of them are listened to, it would be great economy in the science of legislation, if most of them were merely published and never spoken. Yet the gentleman from Virginia, (Mr. B.) in the pamphlet report of his speech, has done himself, not the public, great injustice. In it, as spoken, there was but one bright spot—one passage only, which sparkled with wit, that set the audience in a roar, and that he has suppressed; it was that string of mongrel, doggerel verse, which for twelve minutes he had detained us in the recital of; half bad English and half worse Latin, intermixed, in which Santa Anna, as a General and a soldier, was underrated and ridiculed. I am sorry he kept it out of his printed speech. The insertion of it there might have proved to the world, what we know, that the gentleman possesses great industry and considerable powers of memory; for he did not read, but recited by rote, that doggerel. Who, but a man of industry and memory, would have committed so much miserable trash; and who, but a man of ambition and taste, would have stood up in the American Congress, “the first assembly of gentlemen in the world,” and recited it as part of his own speech? The reflecting, perhaps, would say, such industry and memory applied to elevated studies, might secure to their possessor some respectability, as was said, in substance, of the skill of a coachman in the olden time. I have inquired into the authorship of that mongrel doggerel, and find it was the drunken improvisation of a student of one of the New England colleges, (I regret to learn, Mr. Speaker, that such things are done in New England,) that one of his chums took it down in short-hand; when it was read to the author in his “sober second thoughts” of the next day, he denied the authorship; when his mind was forced to yield to testimony, he fell into a hypochondria for very shame; the prospects of his usefulness vanished, and his friends keep watch over him, for fear he will fly to suicide to wipe out the disgrace of that production. Now, if the gentleman had retained in the printed speech the only gem of the delivered one, and sent it to that unhappy young man, he would have done a generous and benevolent act; for the fact that an illustrious son of the “Old Dominion” had embellished his speech in Congress with that poetry, might have reconciled that youth to life, and have won him back to the pursuit of his high prospects and usefulness. I said it was the only part of the speech which created a laugh—a striking instance in which a great man was “indebted to his memory for his wit.” It was employed, however, to ridicule the idea that the return of Santa Anna to Mexico had made the war more disastrous to our gallant troops. It was, and has been, the great blunder of the President, and his defenders and apologists, to underrate the abilities of Santa Anna. They even now mock at every allusion to his energy, resources, and skill. In witness of these qualities, and the consequences of his return, I point them while they mock, to the bloody fields of Buena Vista, Cerro Gordo, Churubusco, Chapultepec, and the King's Mill, where he commanded. To their heartless mockery, let the ensanguined ghosts of thousands upon thousands of their slaughtered countrymen respond. While the gentleman from Virginia stands upon the green graves, and snuffs the stench of our buried heroes, and there finds heart to jest and mock, I will invite him to turn his ear to the full and melancholy chorus breaking from thousands of homes in our land—homes made desolate and filled with destitution by the effects of the war, and when he hears the orphan's cry, the widow's wail, the aged, bereaved parents groan, swelling on the breeze, these let him catch and cherish, as grateful tributes to his memorized wit.